

# Knobbe Martens Olson & Bear LLP

Intellectual Property Law

RECEIVED  
CENTRAL FAX CENTER

JUN 14 2004

2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
Tel 949-760-0404  
Fax 949-760-9502  
www.kmob.com

OFFICIAL

## FACSIMILE TRANSMITTAL SHEET

CONFIRMATION COPY WILL FOLLOW VIA:

- ☐ MAIL
- ☐ INTERNATIONAL AIRMAIL
- ☐ COURIER
- ☐ E-MAIL

- ☒ WILL NOT FOLLOW
- ☐ HAND DELIVERY
- ☐ WITH ENCLOSURES
- ☐ WITHOUT ENCLOSURES

### Confidentiality Notice:

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Marc M. Duncan  
FIRM: U.S.P.T.O.  
FACSIMILE No.: (703) 872-9306  
OUR REF.: QSOFT.139A  
APPL. No.: 09/713,479  
FROM: John R. King  
OPERATOR: Amy Durrant  
DATE: June 14, 2004

NO. OF PAGES: 2 (incl. cover sheet)

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY  
OPERATOR PHONE No.: (949) 760-0404 FACSIMILE No.: (949) 760-9502

MESSAGE:

H:\DOCS\VRK\VRK-8348.DOC  
061404

BEST AVAILABLE COPY

San Diego  
619-235-8550  
NO. 945 P. 1/2

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
909-781-9231

San Luis Obispo  
805-547-5580

KMOB

JUN. 14. 2004 2:24PM

RECEIVED  
CENTRAL FAX CENTER

JUN 14 2004 PATENT

QSOFI.139A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant : Romine, et al.  
Appl. No. : 09/713,479  
Filed : November 15, 2000  
For : SYSTEM AND METHOD FOR  
QUIESCING SELECT DATA  
MODIFICATION OPERATIONS  
AGAINST AN OBJECT OF A  
DATABASE DURING ONE OR  
MORE STRUCTURAL  
OPERATIONS  
Examiner : Marc M. Duncan  
Group Art Unit : 2177

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all  
marked attachments are being facsimile transmitted to  
the Patent and Trademark Office on the date shown  
below:

6/14/04  
(Date)  
John R. King  
John R. King, Reg. No. 34,362

RESPONSE TO MARCH 31, 2004 OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In order to prepare for the upcoming interview scheduled on June 16, 2004 at 1:30 p.m., the Examiner has requested that we submit an agenda regarding the matters to be discussed.

In brief, we plan on discussing the differences between the cited references and embodiments of the invention. In particular, we plan on discussing how U.S. Patent No. 6,088,732 to Smith et al. (the "Smith patent") does not describe the process of gracefully degrading the performance of a client/server application.

We look forward to conducting the interview. In addition, William Romine, a software developer that works for the assignee, Quest Software, plans on attending the interview. If you have any other questions, please call me at 949-721-2998.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/14/04

By:

John R. King  
John R. King  
Registration No. 34,362  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

H:\DOCS\JRK\JRK-8344.DOC  
061104

BEST AVAILABLE COPY